

Exhibit D

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November 6, 2020

VIA EMAIL

Andrew J. Finn, Esq.
Sullivan & Cromwell LLP
125 Broad Street
New York, New York 10004-2498

Re: *Picard v. Standard Chartered Financial Services (Luxembourg) S.A. et al. (Adv. Pro. No. 12-01565)*

Dear Andrew:

As we discussed during our call on November 2, 2020, it has been nearly nine years since the Trustee filed this action. In light of Judge Bernstein's remarks during the October 29, 2020 conference, and the Trustee's desire to proceed with discovery, we write to request a conference to prepare a discovery plan under Rule 26(f) of the Federal Rules of Civil Procedure made applicable to this proceeding under Federal Rule of Bankruptcy Procedure 7026.

One possible way forward is staged discovery to avoid any potential burden, duplicative costs, and any further unnecessary delay. As an initial step, we propose that your clients produce the documents they produced in the multidistrict litigation captioned *Anwar v. Fairfield Greenwich Ltd.*, No. 09-CV-118 (S.D.N.Y.) ("*Anwar*") as well copies of the deposition transcripts of the Standard Chartered¹ employees or former employees taken in the *Anwar* proceeding. To facilitate matters, we will serve a document request for both the documents and transcripts.²

Following review and analysis of the documents and transcripts, the Trustee would have the right to serve a second document request. The Trustee would also retain the right to request the depositions of Standard Chartered current or former employees. We believe the scope of the requests and list of potential witnesses is likely to be greatly reduced if the *Anwar* production and

¹ Standard Chartered includes the defendants and their predecessors.

² In lieu of producing the depositions transcripts Standard Chartered could authorize the applicable court reporter to produce the transcript and the Trustee will pay the applicable costs for the copy of the transcript.

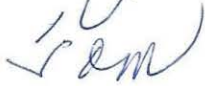
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transcripts are made available. In addition, the Trustee would continue to have the right to pursue third party discovery.

In order to assist your analysis of the Trustee's proposal, set forth in an attachment is a list of Standard Chartered personnel who were involved with BLMIS, Fairfield Sentry, Fairfield Sigma, Fairfield Greenwich Group, and related entities, or Kingate Global. If possible, please identify whether these individuals are still employed by Standard Chartered or their affiliates. For those individuals on the list who are no longer employed by Standard Chartered or their affiliates, please notify us if your firm represents them in connection with this adversary proceeding.

Recognizing that your brief on your Motion for a Stay is due on November 12, 2020, we are available to meet and confer with you the following week on either November 17 or 18.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom', is written over the word 'Sincerely,'.

Thomas L. Long

Enclosure